IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

WP(C).No. 2049 of 2007(R)

OS.1/2006 of I ADDL. DISTRICT COURT, KOLLAM

.....

PETITIONERS:

---

1. G. VIJAYANANTHAKURIP, THOTTATHIL VEEDU, (AYIKARAVALLIL), PAIKUZHY, OCHIRA P.O., KOLLAM.
2. DAMODHARAN UNNITHAN, MALAYIN KANDATHINAL THEKKETHIL, ULAVAKAD MURI, NOORANADU P.O., MAVELIKKARA.

BY ADV. SRI.K.P.SREEKUMAR
SRI.P.M.SATHEESH
SRI.R.GIREESH VARMA

RESPONDENTS:

---

1. OCHIRA PARABRAHMA TEMPLE,. REPRESENTED BY ITS SECRETARY.
2. K. BARGHAVAN, S/O. KRISHNAN, SECRETARY, OCHIRA PARABRAHMA TEMPLE, RESIDING AT MUTTATHU PRAYAR THEKKU, ALUMPEEDIKA P.O.
3. ARAMBIL SUKUMARAN UNNITHA, AGED 65, S/O. NEELAKANDAN UNNITHAN, PRESIDENT, OCHIRA PARABRAHMA TEMPLE, RESIDING AT MANGALATHU, VALLIKKUNNAM, VALLIKUNNAM P.O.
4. O. KRISHNA PILLAI, AGED 60, S/O. UMMINI PILLAI, VICE-PRESIDENT, OCHIRA PARABRHMA TEMPLE, RESIDING AT KARIMUTTATHU, KATTACHIRA, PALLICHIRA P.O.
5. V. SUNIL KUMAR, AGED 51, TREASURER, OCHIRA PARABRAHMA TEMPLE, EDATHURUTHEL, ALAPPAD, CHERIYAZHEEKKAL P.O.
6. R. BHASKARA KURUP, AGED 76, S/O. RAGHAVA KURUP, EXECUTIVE COMMITTEE MEMBER, OCHIRA PARABRAHMA TEMPLE, RESIDING AT PANAMPLAVIL, THEKKU KOCHUMURI, OCHIRA P.O.

7. RAMACHANDRAN PILLAI, AGED 70 YEARS,
EXECUTIVE COMMITTEE MEMBER,
OCHIRA PRABRAHMA TEMPLE,
RESIDING AT MAVOORIL,
VARAVILA, VARAVILA P.O.
8. V. SADASIVAN, AGED 57,
S/O. VASUKUTTY, EXECUTIVE COMMITTEE MEMBER,
OCHIRA PARABRAHMA TEMPLE,
RESIDING AT KIDASSERIL PUTHAN VEEDU,
PRAYAR NORTH P.O.
9. S. MADHAVAN PILLAI, AGED 72,
EXECUTIVE COMMITTEE MEMBER
CHIRA PAARABRAHMA TEMPLE,
RESIDING AT MENEZHUTHU,
VAYANAKATHU, NJKKANAL P.O.
10. DR. SIVARAMAKRISHNAN PILLAI,
MANAGING DIRECTOR,
OCHIRAPARABRAHMA SPECIALTY HOSPITAL &
RESEARCH CENTRE, OCHIRA.
11. OCHIRA PARABRAHMA SPECIALTY HOSPITAL,
OCHIRA REP. BY ITS CHAIRMAN.

12. N.R. RAJENDRAN, NADASSERIL HOUSE,
THEKKUKOCHUMURI, OCHIRA.
13. S. JAYAPRAKASH, KALARIKKAL,
KADATHOOR, K.S. PURAM P.O.
14. C. HARISANKAR,PADANILATHU,
THEKKUKOCHUMURI, OCHIRA.
15. PUSHPADASAN, CHAITHANYA,
CHERAVALLY, KAYAMKULAM.

16. ASHOK KUMAR, CHATHAYAM,
MADATHIL, KARAZHMA P.O.

17. BIMAL DANI, MALAKKADATHU HOUSE,
SRAYIKKADU, AZHEEKKAL P.O.

18. S. SASIDHARAN PILLAI, KANNADIYIL,
MEMANA, OCHIRA P.O.

19. V. VIJAYANPILLAI, KANICHERIL HOUSE,
PERUMANTHAZHA, VARVILA P.O.

20. M.C.SURESH, LEKSHMI, THOPPIL HOUSE,
SRAYIKKADU, AZHEEKKAL P.O.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

W.P.(C)NO.2049 OF 2007

DATED THIS THE 18th DAY OF JANUARY, 2007

JUDGMENT

Petitioners are defendants 12 and 13 in O.S.1/06 on the file of first Additional District Court, Kollam. This petition is filed under Article 227 of Constitution of India, challenging Ext.P6 order. According to petitioners, though Ext.P3 application was filed to remove second defendant/second respondent and other office bearers from their posts and to make an interim arrangement for administration and taking income of the temple, learned Additional District Judge did not dispose the application and instead passed Ext.P6 order.

2. Learned Counsel appearing for petitioners submitted that learned District Judge may be directed to pass orders in Ext.P3 application, considering the contentions raised by petitioners.

On hearing learned Counsel appearing for petitioners and perusing Ext.P6 order it is clear that learned District Judge did not pass any order in Ext.P3 application after considering the merit of the contentions raised by petitioners . Learned District Judge is therefore directed to pass appropriate order in Ext.P3 application as

expeditiously as possible and in any event within one month from the date of receipt of a copy of this judgment

M.SASIDHARAN NAMBIAR,JUDGE

Acd